

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department – Sri K. Deseeya Varma, Assistant Commercial Tax Officer – Departmental Action initiated - Punishment of Dismissal from Service – Imposed – Punishment modified to that of Compulsory Retirement from Service – Orders – Issued.

REVENUE (VIG.I) DEPARTMENT

G.O. (Rt.) No. 153

Dt.02.02.2009.

Read the following:-

- 1) Memo No.82666/Vig.I(2)/1999-7, dt.22.07.2005.
- 2) DC (CT), Kakinada Proc Ref. No.P1/3039/99, dt.26.05.2006.
- 3) From Sri K. Deseeya Varma, ACTO mercy petition, dt.18.07.2007.
- 4) APAT Orders in O.A. No.3254/2006, dt.28.01.2008.
- 5) Memo No.82666/Vig.I(2)/1999-11, dt.03.04.2008.
- 6) CCT's Lr. Ref. No.V3/2933/1999, dt.04.10.2008.

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ORDER:

Whereas it was brought to the notice of the Government that Sri K. Deseeya Varma, formerly Assistant Commercial Tax Officer, Ganapavaram, West Godavari District actuated and abuse of his position committed certain mis-deeds in the trap case of Sri M. Suryanarayana Murthy, formerly Senior Assistant, Office of the Deputy Commercial Tax Officer, Ganapavaram, West Godavari District.

2) In the reference first read above, the Commissioner of Commercial Taxes was instructed to initiate departmental action against Sri K. Deseeya Varma, Assistant Commercial Tax Officer.

3) And whereas, in the reference second read above, the Deputy Commissioner (CT), Kakinada after conducting enquiry imposed a major penalty of dismissal from service on the individual.

4) Aggrieved by the above, the individual has filed O.A.No.3254/2006 before the Hon'ble A.P. Administrative Tribunal challenging the above Proceedings of the Deputy Commissioner (CT), Kakinada.

5) In the reference third read above, Sri K. Deseeya Varma, Assistant Commercial Tax Officer has filed mercy petition before the Government requesting the Government to lift the punishment of dismissal from service and sanction personal benefits.

6) And whereas in the reference fourth read above, the Hon'ble A.P. Administrative Tribunal in its orders dt.28.01.2008 in O.A. No.3254/2006 set-aside the impugned orders issued by the Deputy Commissioner (CT), Kakinada in the Proceedings Ref. No.P1/3039/99, dt.26.05.2006 and the matter remanded back to the Deputy Commissioner (CT), Kakinada for hearing the applicant on the reasons of disagreement on the Enquiry Officer's report and to pass appropriate orders thereafter, without getting influenced by the directions given by the higher authority.

7) And whereas in the reference fifth read above, the Commissioner of Commercial Taxes was requested to remand the case back to the Deputy Commissioner (CT), Kakinada for hearing the applicant and pass final orders afresh as per the directions of the Hon'ble A.P. Administrative Tribunal.

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8) And whereas in the reference sixth read above, the Commissioner of Commercial Taxes has furnished the report of the Deputy Commissioner (CT), Kakinada, wherein he has stated that the Charges No.2 and 3 are proved and the Charged Officer had committed the lapses and hence the disciplinary authority i.e., the Deputy Commissioner (CT), Kakinada recommended to award the major penalty of Compulsory Retirement from service against the Charged Office, Sri K. Deseeya Varma, Assistant Commercial Tax Officer.

9) Government after careful examination of the matter in detail and keeping in view of the orders of the Hon'ble Andhra Pradesh Administrative Tribunal dt.28.01.2008 in O.A. No.3254/2006, hereby decided to modify the punishment of dismissal imposed on Sri K. Deseeya Varma, Assistant Commercial Tax Officer to that of Compulsory Retirement from service.

10) The Commissioner of Commercial Taxes shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

G. SUDHIR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Commercial Taxes,
A.P., Hyderabad.
The individual through the Commissioner of Commercial Taxes,
A.P., Hyderabad.

Copy to:-

The Deputy Commissioner (CT), Kakinada.
The District Treasury Officer, East Godavari District, Kakinada.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The Accountant General, A.P., Hyderabad.
File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER